

**BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS**

**IN THE MATTER OF: ANITA L. AEBERSOLD, D.D.S.**

**ORDER**

On this 15th day of September, 1995 comes on for hearing the matter of Anita L. Aebersold, D.D.S. The Arkansas State Board of Dental Examiners appeared by a quorum of its membership, together with its attorney, William H. Trice, III; Anita L. Aebersold, D.D.S. appeared together with her attorney, W. W. "Dub" Elrod, II. From the pleadings, evidence introduced, testimony of the witnesses, admission of the parties, and argument of counsel, the Board finds that:

**I**

Anita L. Aebersold, D.D.S. is a licensed dentist in the State of Arkansas under the provisions of the Dental Practice Act.

**II**

From the evidence introduced and from the admission of Anita L. Aebersold, D.D.S., it is found that she was addicted to narcotic substances from at least 1990 through 1994.

**III**

From the evidence introduced and from the admission of Anita L. Aebersold, D.D.S., it is found that Anita L. Aebersold, D.D.S. prescribed narcotic substances for patients for non-dental reasons and then divided said narcotic substance with the patient, more specifically, patient, L.C.

#### IV

From the evidence introduced and from the admission of **Anita L. Aebersold, D.D.S.**, it is found that **Anita L. Aebersold, D.D.S.** wrote prescriptions for various individuals who never received the prescriptions and that she diverted the narcotic substances for her own use and benefit.

#### V

From the evidence introduced and from the admission of **Anita L. Aebersold, D.D.S.**, it is found that she prescribed and over-prescribed narcotic medication for patients for non-dental reasons, leading to their harm and detriment.

#### VII

From the evidence introduced and from the admission of **Anita L. Aebersold, D.D.S.**, it is found that **Anita L. Aebersold, D.D.S.** failed to maintain adequate inventories and documentation for the administration, dispensing, and possession of narcotic substances, more specifically, 21 CFR 1304.13 involving the two-year biennial inventory and Regulation of the Health Department, Section 6 concerning inventory of the narcotic and controlled substances.

#### **WHEREFORE, IT IS CONSIDERED, ORDERED, AND ADJUDGED THAT:**

1. **Anita L. Aebersold, D.D.S.** has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-82-316(c); that is, she has exhibited an addiction to narcotic substances.
2. **Anita L. Aebersold, D.D.S.** has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-82-316(c), that is, she has committed a criminal operation by the diversion of narcotic substances and controlled drugs for herself.

3. Anita L. Aebersold, D.D.S. has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-82-316(c), that is, she has committed a criminal operation by the diversion of narcotic substances and controlled drugs for patient, L.C.

4. Anita L. Aebersold, D.D.S. has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-82-316(c), that is, she has committed a criminal operation by the diversion of narcotic substances and controlled drugs for other patients.

5. Anita L. Aebersold, D.D.S. has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-82-316(c), in that she has failed to maintain safeguards for her patients by over-prescribing medications for them in the form of narcotic or controlled substances for non-dental reasons.

6. Anita L. Aebersold, D.D.S. has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-82-316(f), in that she has violated rules or regulations of the State Board of Dental Examiners, more specifically, Article X(M) in that she has violated any provisions of law regulating the dispensing and administration of narcotics, more specifically, the diversion of narcotics to patient, L.C.

7. Anita L. Aebersold, D.D.S. has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-82-316(f), in that she has violated rules or regulations of the State Board of Dental Examiners, more specifically, Article X(M) in that she has violated any provisions of law regulating the dispensing and administration of narcotics, more specifically, the diversion of narcotics to other patients.

8. As a result of the above violations of the Dental Practice Act, the Board levies a fine in the amount of \$750 to be paid within sixty (60) days from the date of this Order.

9. As a result of the above violations of the Dental Practice Act, the Board suspends the license to practice dentistry in the State of Arkansas of Anita L. Aebersold, D.D.S. until such time as she submits to psychological evaluation and testing and the Board receives a report that she is mentally competent and stable to return to the practice of dentistry.

10. As a result of each of the above violations of the Dental Practice Act, the license to practice dentistry in the State of Arkansas of Anita L. Aebersold, D.D.S. is placed on probation for a period of eighteen (18) months for each of the seven counts stated above, in Paragraphs 1 through 7, with the following conditions of probation:


- a. That she comply with the Rules and Regulations and Statutes of the Arkansas State Board of Dental Examiners.
- b. That she undergo psychological testing and counseling and that reports be forwarded to the Board by the psychologist/psychiatrist during the probationary period.
- c. That she enter into a contract with the Caring Dentist Committee as attached to this exhibit and that she comply with the terms of said contract and that she have the Caring Dentist Committee report any discrepancies to the Board immediately as well as giving quarterly reports to the Arkansas State Board of Dental Examiners.
- d. That she remove all schedule narcotics from her office and not retain nor dispense any in her practice while in her clinic.
- e. That she surrender her DEA certificate to the Arkansas State Board of Dental Examiners for a period of eighteen (18) months and that she not utilize it nor

prescribe controlled substances during said eighteen (18) month period.


- f. That she and the Caring Dentist Committee report to the Board at each meeting pending further Orders of the Board.
- g. That she submit to random urinalysis testing for drugs as may be ordered by the Board.
- h. That she pay the monetary fine stated above of \$750 within sixty (60) days from the date of this Order.

**IT IS SO ORDERED.**

ARKANSAS STATE BOARD OF DENTAL EXAMINERS

  
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J. DAVID ALFORD, D.D.S., President  
DATE: 09/27/95

APPROVED AS TO FORM:

  
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WILLIAM H. TRICE, III  
Attorney for the Arkansas State  
Board of Dental Examiners

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